

Message Text

CONFIDENTIAL

PAGE 01 PRAGUE 01502 030504Z
ACTION EUR-08

INFO OCT-01 ISO-00 ONY-00 SSO-00 /009 W
-----030511Z 048582 /16

O 021700Z JUN 77

FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC IMMEDIATE 2846

INFO AMEMBASSY BELGRADE IMMEDIATE

AMEMBASSY BUCHAREST IMMEDIATE

AMEMBASSY BUDAPEST IMMEDIATE

AMEMBASSY SOFIA IMMEDIATE

AMEMBASSY WARSAW IMMEDIATE

C O N F I D E N T I A L PRAGUE 1502

LIMIDIS

NO DISTRIBUTION OUTSIDE OF EUR

FOR EUR/EE

E.O. 11652: GDS

TAGS: SHUM, CZ

SUBJECT: HUMAN RIGHTS: COUNTRY ACTION PLANS

REF STATE 124498

1. WE ARE IN GENERAL AGREEMENT WITH DRAFT TEXT PREPARED BY EUR/EE,
BUT HAVE SOME PROBLEMS WITH ITS TONE IN ONE OR TWO PLACES. COMMENTS
AND SOME PROPOSED AMENDED LANGUAGE FOLLOW.

2. PROPOSED NEW LANGUAGE FOR PARA A.1-INTEGRITY OF THE PERSON:
AFTER 1948, SUCCESSIVE CZECHOSLOVAK COMMUNIST REGIMES USED REPRESSION
IN THEIR EFFORTS TO CREATE A SOVIET-STYLE MARXIST STATE
IN WHAT BEFORE WW-II HAD BEEN THE ONLY EXAMPLE OF A VIABLE
CONSTITUTIONAL DEMOCRACY IN CENTRAL AND EASTERN EUROPE. DURING
THE PROCESS OF COMPLETE NATIONALIZATION OF THE ECONOMY AND
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PRAGUE 01502 030504Z

COLLECTIVIZATION OF AGRICULTURE, MANY PEOPLE SUFFERED UNCOMPENSATED
CONFISCATION OF PROPERTY AND MANY OF THE FORMER "BOURGEOISIE"
FOUND THEMSELVES RELEGATED TO MENIAL LABOR TO SURVIVE. MASS ARRESTS,
FORCED LABOR AND WIDESPREAD USE OF TORTURE ON THE STALINIST MODEL
DID NOT, HOWEVER, OCCUR. IN RECENT YEARS, OVERT USE OF OPPRESSIVE
MEASURES HAS LARGELY CEASED AND "SOCIALIST LEGALITY" HAS BEEN
GENERALLY OBSERVED. THE PENAL CODE, BASED ON THE CODE NAPOLEON,

PERMITS LENGTHY INVESTIGATIVE DENTION, USE OF WHICH EXTENDS TO ALLEGED POLITICAL AS WELL AS CRIMINAL OFFENSES. THE REGIME, IN ADDITION, RETAINS THE OPTION TO USE LEGAL AND EXTRALEGAL HARASSMENT- AND HAS DONE SO IN A NUMBER OF CASES OVER THE PAST FEW MONTHS-TO DISCOURAGE EXPRESSION OF POLITICAL DISSENT, FOR EXAMPLE, BY CHARTER 77 ACTIVISTS. CONSTITUTIONAL AND LEGAL GUARANTEES OF THE INDIVIDUAL'S PROTECTION AGAINST IMPROPER USE OF THE STATE'S POWERS OF REPRESSION FIND NO EFFECTIVE ENFORCEMENT BY THE THOROUGHLY POLITICIZED JUDICIARY.

3. IN PART 1 (A), FREEDOM OF THOUGHT, ETC., IT MIGHT BE USEFUL TO POINT OUT DIFFERENCE BETWEEN CONSTITUTIONAL PROVISIONS AND REALITY. (THIS WAS ONE OF THE OBJECTIVES OF CHARTER 77.)

4. IN PART 2(B), SUGGEST REPHRASING TO POINT UP DIFFERENCES, IF ANY, BETWEEN GOC PRACTICE AND THAT OF SOME OF OUR ALLIES WHO REQUIRE CITIZENS TO HAVE ID CARDS.

5. PART 3, SOCIAL RIGHTS, IS SOMEWHAT TOO NEGATIVE, IN OUR VIEW. WE WOULD PROPOSE DELETING PHRASE "AT A MINIMAL COST", WHICH SUGGESTS SERVICES PROVIDED ARE SUBSTANDARD WITHOUT DEFINING THE STANDARD. ON THE POSITIVE SIDE, IT MIGHT BE NOTED THAT THE REGIME'S SUCCESS IN MAINTAINING CONSUMER PRICE STABILITY HAS BEEN BENEFICIAL TO ALL STRATA OF SOCIETY.

6. IN PART 4, THE GOVERNMENT'S RESPONSIBILITY, WE SUGGEST FOLLOWING REPHRASING: "THE LEADERSHIP IS INDEED RESPONSIBLE FOR THE FOREGOING SITUATION AND WOULD FREELY ADMIT TO HAVING A CONCEPT OF HUMAN RIGHTS DIFFERENT FROM OURS. IT PLACES PRIORITY ON
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PRAGUE 01502 030504Z

"ECONOMIC RIGHTS" SUCH AS FULL EMPLOYMENT, WELFARE AND STABLE PRICES THAT IT INSISTS CAN ONLY BE ACHIEVED THROUGH MARXIST-LENINIST PROGRAMS, WHICH FOR SUCCESS REQUIRE UNQUESTIONING COOPERATION OF THE MASSES OF THE PEOPLE AND, THUS, STATE-IMPOSED DISCIPLINE. THE REGIME IS UNDOUBTEDLY SINCERE IN PUTTING THE CONCEPT OF "ECONOMIC RIGHTS" AHEAD OF WESTERN CONCEPTS OF RIGHTS OF LIBERTY AND PROPERTY, WHICH IT VIEWS AS EXPRESSIONS OF CAPITALISM. IN THE REGIME'S ATTITUDES THERE IS ALSO A STRONG ELEMENT OF CONCERN FOR PRESERVATION OF THE REGIME AND ITS IDEOLOGY.

7. WE HAVE NO ACTION RECOMMENDATIONS BEYOND THOSE IN THE EUR/EE DRAFT. OUR LEVERAGE IS AS LIMITED AS THE DRAFT POINTS OUT. CONCLUSION OF THE CULTURAL/SCIENTIFIC EXCHANGES AGREEMENT WILL PROVIDE SOME ADDITIONAL MEANS TO DISPLAY OUR DISPLEASURE, BY CANCELLING EXCHANGES, ETC., BUT NOTHING OF SUFFICIENT IMPORTANCE TO CHANGE BASIC ATTITUDES HERE. OUR MOST EFFECTIVE TACTIC WILL BE TO DEAL QUIETLY BUT FIRMLY WITH HUMAN RIGHTS VIOLATIONS DIRECTLY AFFECTING U.S. INTERESTS AS THEY OCCUR AND FOR THE DEPARTMENT TO TAKE PUBLIC NOTE, AS A MATTER OF PRINCIPLE,

OF OTHER GROSS VIOLATIONS.
BYRNE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 02-Jun-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977PRAGUE01502
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770197-1105
Format: TEL
From: PRAGUE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770698/aaaadhlz.tel
Line Count: 118
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 7a064186-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: 77 STATE 124498
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2303849
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS: COUNTRY ACTION PLANS
TAGS: SHUM, CZ
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/7a064186-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009